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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,884	09/04/2001	Pasi Matti Kalevi Ahonen	027566-033	4385

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EXAMINER

DANIEL JR, WILLIE J

ART UNIT	PAPER NUMBER
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2686

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DATE MAILED: 02/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/869,884

Applicant(s)

AHONEN, PASI MATTI KALEVI

Examiner

Willie J. Daniel, Jr.

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09/04/2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other:

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 07/10/2001 is in compliance with the provisions of 37 CFR 1.97 and is being considered by the examiner.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “14” has been used to designate both “central processing unit” and “cellular telephone network” of **Fig. 1**. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “15” has been used to designate both “antenna” and “base station subsystems” of **Fig. 1**. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “16” has been used to designate both “transceiver” and “mobile switching centre” of **Fig. 1**. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by (**Vazvan WO 97/45814**).

Regarding **Claim 1**, Vazvan discloses a method of interworking between a payer terminal (1) which reads on the claimed “mobile terminal” and payee terminal (2) which reads on the claimed “local service” in which information is conveyed between the local service (2) and the mobile terminal (1) over a local wireless communication channel (see pg. 4, lines 21-35; Figs. 1, 2, 4, 5, and 6), the method comprising:

broadcasting from the local service (2), over the wireless communication channel, payee product details which reads on the claimed “service notification messages”; and (see pg. 4, lines 29-31; pg. 7, line 22-24; Figs. 5 and 6), where the payee product details are messages sent to the mobile terminal to inform the user of products and/or services.

conducting a mobile terminal (1) identification process between a mobile terminal (1) and the local service (2) over the wireless communication channel, said process only proceeding if the mobile terminal (1) is present within a localised region which is a sub-region of the region over which said service notification messages are broadcast (see pg. 6, lines 18-30; pg. 7, lines 22-36; Figs. 2 and 5), where the mobile terminal is within a sub-region of the

larger coverage area which is within range of the local service for identification and authentication purposes.

Regarding **Claim 2**, Vazvan discloses a method according to claim 1, wherein the mobile terminal (1) is a cellular radio telephone or smart phone which communicates with a cellular radio network using a communications protocol distinct from the protocol used over said local communication channel (see pg. 4, lines 21-35; pg. 5, line 5-9; pg. 7, lines 30-34; Figs. 5 and 6).

Regarding **Claim 3**, Vazvan discloses a method according to claim 1, wherein the payee details which hereinafter reads on the claimed "service notification messages" are broadcast from the local service (2) via a broadcast antenna and the identification phase is carried out using a directional antenna or receiver provided at the local service (2) (see pg. 6, lines 18-30; pg. 7, lines 22-24; pg. 8, line 41 - pg. 9, line 4; Figs. 2, 5, and 6), where the local service has a transmitter/receiver for communicating with other devices by transmitting and receiving messages and identifying the other device.

Regarding **Claim 4**, Vazvan discloses an apparatus for interworking between a mobile terminal (1) and a local service (2) in which information is conveyed between the local service (2) and the mobile terminal (1) over a local wireless communication channel (see pg. 4, lines 21-35; Figs. 1, 2, 4, 5, and 6), the apparatus comprising:

a local system (2) having transmitting means for broadcasting from the local service, over the wireless communication channel, service notification messages (see pg. 4, lines 29-31; pg. 7, line 22-24; Figs. 5 and 6), where the payee product details are messages sent to the mobile terminal to inform the user of products and/or services; and

at least one mobile terminal (1) arranged in use to conduct an identification process with the local service over the wireless communication channel, said process only proceeding if the mobile terminal (1) is present within a localised region which is a sub-region of the region over which said service notification messages are broadcast (see pg. 6, lines 18-30; pg. 7, lines 22-36; Figs. 2 and 5), where the mobile terminal is within a sub-region of the larger coverage area which is within range of the local service for identification and authentication purposes.

Regarding **Claim 5**, Vazvan discloses an apparatus according to claim 4, wherein the wireless communication channel is a radio channel, and the local system (2) comprises a directional _radio transmitter or receiver whose transmission/reception area defines said localised region (see pg. 7, lines 22-36; Figs. 2 and 5), where the transmitter/receiver has a defined coverage area.

Regarding **Claim 6**, Vazvan discloses a local service for interworking with a mobile terminal (1) wherein information is conveyed between the local service (2) and the mobile terminal (1) over a local wireless communication channel (see pg. 4, lines 21-35; Figs. 1, 2, 4, 5, and 6), the local service (2) comprising:

transmitting means for broadcasting, over the wireless communication channel, service notification messages (see pg. 4, lines 29-31; pg. 7, line 22-24; Figs. 5 and 6), where the payee product details are messages sent to the mobile terminal to inform the user of products and/or services;

a directional transmitter or receiver for defining a localised transmission/reception region which is a sub-region of the region over which said service notification messages are

broadcast (see pg. 7, lines 22-36; Figs. 2 and 5), where the transmitter/receiver has a sub-region for the coverage area; and

processing means for conducting an identification process with a mobile terminal over the wireless communication channel and using said directional transmitter or receiver, said process only proceeding if the mobile terminal is present within the localised region (see pg. 6, lines 18-30; pg. 7, lines 22-36; Figs. 2 and 5), where the mobile terminal is within a sub-region of the larger coverage area which is within range of the local service for identification and authentication purposes.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. **Griffith (US 6,195,541)** discloses an *Interaction of a Wireless Telephone with a Transaction Unit*.

b. **Joao et al. (US 5,903,830)** discloses a *Transaction Security Apparatus and Method*.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (703) 305-8636. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-3180.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-5424.

WJD,JR/wjd,jr
20 January 2004

Marsha D Banks-Harold

MARSHA D. BANKS-HAROLD
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